

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HEADWATER RESEARCH LLC, §  
§  
*Plaintiff*, §  
§  
v. §  
§ CIVIL ACTION NO. 2:23-CV-397-JRG-RSP  
AT&T INC., AT&T SERVICES, INC., § (LEAD CASE)  
AT&T MOBILITY, LLC, and AT&T §  
CORP., §  
§  
*Defendants.* §

**REPORT AND RECOMMENDATION**

Before the Court is the Motion for Partial Summary Judgment of Non-Infringement of U.S. Patent Nos. 8,589,541 and 9,215,613, filed by the AT&T Defendants. **Dkt. No. 128.** A substantively identical motion was filed in a parallel litigation: *Headwater Research LLC v. Verizon Communications Inc., et al*, 2:23-cv-00352-JRG-RSP. See Dkt. No. 183 in 2:23-cv-00352.

For the reasons discussed in the Court's ruling on the parallel motion (Dkt. No. 315 in 2:23-cv-00352), the Court finds that the instant Motion for Summary Judgment should also be **DENIED**.

A party's failure to file written objections to the findings, conclusions and recommendations **not later than August 12, 2025**, bars that party from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except on grounds of plain error, from appellate review of unobjected-to factual findings and legal conclusions accepted and adopted by the district court. FED. R. CIV. P. 72(b)(2); *see also Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (*en banc*). Any

objection to this Report and Recommendation must be filed in ECF under the event “Objection to Report and Recommendation [cv, respoth]” or it may not be considered by the District Judge.

**SIGNED this 29th day of July, 2025.**



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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE